



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 10**

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OFFICE OF  
ECOSYSTEMS, TRIBAL AND  
PUBLIC AFFAIRS

September 6, 2011

Tammy Harding, Team Leader  
Kamiah Ranger Station  
903 3<sup>rd</sup> Street  
Kamiah, Idaho 83536

**Re: U.S. Environmental Protection Agency (EPA) Region 10 Comments on the Little Slate Project  
Draft Environmental Impact Statement (DEIS) (EPA Project Number: 07-028-AFS).**

Dear Ms. Harding:

The EPA has reviewed the Little Slate Project DEIS. We are submitting comments in accordance with our responsibilities under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act. Under our policies and procedures, we evaluate the environmental impact of the proposed action and the adequacy of the impact statement. We have assigned an Environmental Concerns – Adequate (EC-1) rating to the DEIS. A copy of the EPA rating system is enclosed.

The Draft EIS documents the analysis of four alternatives, including a “no action” alternative. Each of the action alternatives considers watershed improvement, timber harvest, fuel treatments, soil restoration and access changes within the Little Slate planning area. The EPA is broadly supportive of goals and objectives of the Little Slate Project. In particular, we support the proposed road decommissioning; riparian restoration; placer mine restoration; access designation changes; and amendment to the Forest’s soil quality guidelines.

Our EC-1 rating is based primarily on our concern with the extent of temporary road construction and reconstruction proposed under Alternative B. Alternative C addresses many of these concerns by seeking to reduce miles of road construction, and to achieve an accelerated upward trend in watershed conditions. We encourage the Forest to bring elements of Alternative C, particularly as they relate to road construction in the Van Buren drainage, into the final selected alternative.

We also note that the DEIS incorporates project design and/or mitigation measures in order to address impacts from invasive plant species, and impacts to cultural resources; soil productivity; large down wood; water temperature; large woody debris in streams; snags; old growth habitat; and trails and road access. These mitigation measures do not appear to be sufficiently linked (within the context of the DEIS) to a monitoring plan or program. Consistent with the Council on Environmental Quality’s recent Final Guidance on the Appropriate Use of Mitigation and Monitoring<sup>1</sup>, we encourage the Forest to develop and describe a processes for post-decision monitoring within the DEIS in order to ensure the implementation and effectiveness of the proposed mitigation.

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<sup>1</sup> [http://ceq.hss.doe.gov/current\\_developments/docs/Mitigation\\_and\\_Monitoring\\_Guidance\\_14Jan2011.pdf](http://ceq.hss.doe.gov/current_developments/docs/Mitigation_and_Monitoring_Guidance_14Jan2011.pdf)

Please see the attached comments for detail on each of the concerns highlighted above. We appreciate the opportunity to comment on the Little Slate Project at this stage of the planning process. If you have any questions or concerns you may contact me at (206) 553-1601 or by electronic mail at reichgott.christine@epa.gov. Or you may contact Teresa Kubo of my staff at (503) 326-2859 or by electronic mail at kubo.teresa@epa.gov.

Sincerely,



Christine B. Reichgott, Unit Manager  
Environmental Review and Sediment Management Unit

Enclosures:

EPA Detailed Comments on the Little Slate Project Draft Environmental Impact Statement  
EPA Rating System for Draft Environmental Impact Statements

## **EPA DETAILED COMMENTS ON THE LITTLE SLATE PROJECT DRAFT ENVIRONMENTAL IMPACT STATEMENT**

### **Road Impacts**

As noted in our scoping comments, the EPA favors minimizing road construction (including temporary road construction) because roads contribute more sediment to streams than any other management activity and interrupt the subsurface flow of water, particularly where roads cut into steep slopes. In addition, roads and their use contribute to habitat fragmentation, wildlife disturbance, and the introduction or exacerbation of noxious weeds.

The proposed action (Alternative B) is aggressive in terms of road decommissioning goals, and we fully support this direction. We also note, however, that a large amount of temporary road construction, reconstruction, and road improvements are required in order to support the proposed upland management actions. We do not oppose the projected changes to vegetation structure and composition, but we favor pursuing an alternative that would minimize road work to the maximum extent practicable, particularly given the grus soils present in the watershed (DEIS p. 60).

Alternative C was developed in part in response to public concerns over impacts from road construction. Because this alternative would likely result in an improving trend in aquatic condition more rapidly and to a greater degree than Alternatives B or D (DEIS p. 79), we recommend incorporating elements of Alternative C into the final selected alternative. In particular, we recommend pursuing the aquatic restoration goals in Alternative C for the Van Buren Creek drainage and the decommissioning of road 2002. Van Buren Creek is an area of high importance for aquatic species, due in part to the current low road and streamside trail density in the watershed. The Little Slate project presents an opportunity to capitalize and improve upon this good condition and to improve habitat for those species, such as bull trout, that are highly sensitive to sediment inputs.

### **Monitoring**

The DEIS incorporates project design and/or mitigation measures in order to address several impacts. These include impacts to cultural resources; soil productivity; large down wood; water temperature; large woody debris in streams; snags; old growth habitat; trails and road access; and impacts from invasive species. The DEIS makes reference to monitoring that would be conducted for many of these parameters in Appendix E, as well as in the main body of the document (p. 67). The DEIS does not, however, describe the monitoring program. In our scoping comments, we recommended that the project include a monitoring program designed to assess impacts from the project, and the implementation and effectiveness of measures taken to mitigate impacts. We further recommended that the EIS describe the monitoring program, how it would be used in present and future resources management, and the likely extent to which it would be adequately implemented/funded.

We recognize that the Forest has an established forest-wide monitoring program, but we recommend that the DEIS provide detail about project level monitoring that will be pursued in order to ensure the implementation and success of proposed mitigation and project design measures. A recent example of a site specific monitoring discussion within an EIS can be found in the Ogden Landscape Vegetation Management Project DEIS<sup>2</sup>. Incorporating this information into the FEIS will place the Forest in a position to identify and pursue adaptive management measures as appropriate. It will also ensure

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<sup>2</sup> [http://www.fs.fed.us/nepa/nepa\\_project\\_exp.php?project=31006](http://www.fs.fed.us/nepa/nepa_project_exp.php?project=31006)

compliance with the guidance recently issued by the Council on Environmental Quality (CEQ). That guidance (referenced in our cover letter) affirms that agencies should monitor the implementation and effectiveness of mitigation commitments; make information on mitigation monitoring available to the public, preferably through agency web sites; and remedy ineffective mitigation when the Federal action is not yet complete.

**U.S. Environmental Protection Agency Rating System for  
Draft Environmental Impact Statements  
Definitions and Follow-Up Action\***

**Environmental Impact of the Action**

**LO – Lack of Objections**

The U.S. Environmental Protection Agency (EPA) review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

**EC – Environmental Concerns**

EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce these impacts.

**EO – Environmental Objections**

EPA review has identified significant environmental impacts that should be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no-action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

**EU – Environmentally Unsatisfactory**

EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potential unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the Council on Environmental Quality (CEQ).

**Adequacy of the Impact Statement**

**Category 1 – Adequate**

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis of data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

**Category 2 – Insufficient Information**

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses or discussion should be included in the final EIS.

**Category 3 – Inadequate**

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the National Environmental Policy Act and or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

\* From EPA Manual 1640 Policy and Procedures for the Review of Federal Actions Impacting the Environment. February, 1987